

MEETINGS TO DATE 16
 NO. OF REGULARS 15
 NO. OF SPECIALS 1

LANCASTER, NEW YORK
 AUGUST 3, 1981

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at Lancaster, New York on the 3rd day of August, 1981, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
 JOSEPH R. BARNHARDT, COUNCILMAN
 EDWARD A. BERENT, COUNCILMAN
 RONALD A. CZAPLA, COUNCILMAN
 LEONARD E. GRZYBOWSKI, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
 DOMINIC J. TERRANOVA, TOWN ATTORNEY
 RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
 ROBERT LABENSKI, TOWN ENGINEER
 ROBERT W. URBAN, HIGHWAY SUPERINTENDENT
 THOMAS E. FOWLER, CHIEF OF POLICE
 ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board held a Public Hearing to hear all interested parties and citizens upon a proposed repeal of Sections 13.4 through 13.8, inclusive, of Chapter 13 of the Code of the Town of Lancaster entitled "Dogs" and enactment of new replacement sections.

' Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

Mrs. Eckert
 Mr. Morris
 Mr. Falgiano

ADDRESS

Warner Rd., Lancaster
 Ransom Rd., Lancaster
 Schlemmer Rd., Lancaster

PUBLIC HEARING SCHEDULED FOR 8:00 P.M. CONT'D.:OPPONENTS

Gertrude Bentz

ADDRESS

Aurora St., Lancaster

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:35 P.M.

The Town Board, later in the meeting, adopted a resolution approving the proposed Dog Law changes.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

Councilman Barnhardt, for the Cable TV Advisory Committee, presented a report from the Committee dated July 30, 1981 wherein a recommendation was made to award the Cable TV Franchise to Global Cable TV.

Councilman Berent, for the Human Services Committee, presented a memorandum dated July 23, 1981 from the Supervisor relative to State Aid under the New York State Youth Incentive Program.

The Town Clerk was directed to place this item on the next agenda of the Town Board. The Town Attorney and Town Clerk were directed to prepare a resolution for the next Town Board meeting authorizing participation of the Town Board in this Program.

Councilman Grzybowski asked the Building Inspector to check on the Reardon property on Pleasant View Drive with a view towards requesting removal of a certain amount of concrete block and other unsightly materials which is causing the neighbor to the west a certain amount of distress.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the meetings of the Town Board of the
Town of Lancaster, held July 2, 1981 and July 20, 1981, respectively, as
presented by the Town Clerk, be and hereby are adopted.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN BERENT , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 BARNHARDT , TO WIT:

WHEREAS, Clarence Rainess & Co., retained auditors and accountants
 of the Town of Lancaster by letter dated July 20, 1981 have recommended
 transfers within the Community Development Fund Budget Account to record
 the budget for project number 436500,

NOW, THEREFORE, BE IT

RESOLVED, that the following transfers within the Community
 Development Fund Budget of the Town of Lancaster be and are hereby effected:

	<u>Account</u>	<u>Increase</u> <u>Amount</u>
Estimated Revenues	CD510	\$10,000.00
Housing Rehabilitation - County	CD2765	10,000.00
Budget Appropriations	CD960	10,000.00
Housing Rehabilitations - County	CD8667	10,000.00
To record budget for Project No. 436500		

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~and~~
 The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Chairman of the Recreation Commission, by letter dated July 22, 1981, has recommended the appointment of IRENE AMBROSE to the position of Cook, part-time temporary, for the Recreation Commission's Nutrition Program, which is part of the Recreation Commission's Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of Cook, part-time temporary, for work with the Town of Lancaster Recreation Commission in their Nutrition Program, at an hourly rate of \$3.75 per hour:

Irene Ambrose
101 Fourth Avenue
Lancaster, New York 14086

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Office of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxx~~

The resolution was thereupon unanimously adopted.

August 3, 1981

PREFILED RESOLUTION NO. 4

GRZYBOWSKI/_____ Authorize Creation of Lancaster
Government Review Commission

This prefiled resolution did not attain resolution status due to
failure to receive a second.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, JOSELA ENTERPRISES, INC., 4875 Broadway, Depew, New York 14043, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property situate on the north side of Squirrel Run in the Countryside Subdivision, said property being subdivision lot number 157 as shown on a map entitled, "Countryside Subdivision", filed in the Erie County Clerk's Office under Cover Number 2402, and said premises further distinguished as No. 15 Squirrel Run, from an R1 -Single-Family Residence District to an R2-General Residence District, which property is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, being part of Lot Number Ninety-one (91), Township Ten (10), Range Six (6), of the Buffalo Creek Reservation and further distinguished as Subdivision Lot Number One Hundred Fifty-Seven (157) as shown on a map entitled, "Countryside Subdivision", filed in the Erie County Clerk's Office under Cover Number 2402. Said premises is further distinguished as being No. 15 Squirrel Run, and is located as follows:

BEGIN at the entrance to the Countryside Subdivision on Aurora Road and proceed west on Old Post Road to Country Place; turn left onto Country Place and proceed west to Squirrel Run; turn left onto Squirrel Run and proceed south approximately six hundred twenty-eight (628) feet to No. 15 Squirrel Run.

and

WHEREAS, said Petition has been referred to the Planning Board and the Planning Consultant of the Town of Lancaster, and

WHEREAS, a Public Hearing on the petition for the proposed rezone was held by the Town Board of the Town of Lancaster on the 20th day of July, 1981, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board, Planning Consultant and the evidence adduced at said public hearing and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

- 1) That the proposed rezone of subject premises as an R2-General Residence District Use is to a Use which is not presently provided for on the subject premises.
- 2) That the Zoning Ordinance of the Town of Lancaster was adopted on May 24, 1961, by the Town Board of the Town of Lancaster.
- 3) That the current property owner has been in title since February 23, 1973.
- 4) That there are areas within the Town of Lancaster which are presently zoned R2-General Residence District.
- 5) That the "Countryside Subdivision", of which this subject subdivision lot is a part, was approved by the Town Board of the Town of Lancaster on March 20, 1978, and is strictly and exclusively R1-Single Family Residence, as was proposed by the petitioner when the subdivision was originally submitted to the Town of Lancaster for approval.
- 6) Said subdivision is filed in the Erie County Clerk's Office under Map Cover 2402.
- 7) That the premises sought to be rezoned, if rezoned, would constitute a benefit to the current owner and the prospective purchaser of the premises, without apparent benefit to the adjacent property owners, and therefore, could be construed to constitute "spot zoning".
- 8) Single family residences have been constructed to date in "Countryside Subdivision" and several of these homes are in the same general area as the premises herein.
- 9) That the proposed rezone is not in harmony with the general purpose and intent of the Master Plan and Zoning Map for the development of the Town of Lancaster.

and

WHEREAS, the denial of this petition for rezone will not deny the reasonable use of the real property to the owner thereof, and

WHEREAS, a study of the area involved reveals that the property in question, if rezoned to R2, would be spot zoning for the limited benefit of the petitioner rather than the community at large, and

WHEREAS, the proposed rezoning to an R2 use would open the premises to less desirable uses found in permitted uses for the R2, as opposed to uses presently allowed under the R1 Zone;

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings, the petition of JOSELA ENTERPRISES, INC., be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Chief of Police and Police and Safety Committee of the Town Board of the Town of Lancaster have recommended, after detailed study, that it would be beneficial and to the best interests of the Town of Lancaster to standardize the components of a radio communications system for the Police Department, including a base station with controllers, mobile units and portable units and other appurtenances, to those components manufactured and supplied by Motorola, Inc., of Schaumburg, Illinois;

NOW, THEREFORE, BE IT

RESOLVED, that for reasons of efficiency, economy and availability of replacement parts and service, free interchange of equipment in times of emergency by the various departments of town government and more efficient purchase, storage and use of spare parts and accessories, and consolidation of factory authorized service commitments, and pursuant to Section 103 (5) of the General Municipal Law of the State of New York, it is determined by the Town Board of the Town of Lancaster, and that the Town of Lancaster standardize radio communications components and equipment to those manufactured and supplied by Motorola, Inc., of Schaumburg, Illinois.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	BARNHARDT	VOTED YES
COUNCILMAN	BERENT	VOTED YES
COUNCILMAN	CZAPLA	VOTED YES
COUNCILMAN	GRZYBOWSKI	VOTED YES
SUPERVISOR	KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Superintendent of Highways has duly recommended the purchase of Three (3) New 1981 Two Wheel Drive Trucks Complete with Dump Body and Snow Removal Equipment, for use of the Highway Department, pursuant to Section 142 of the Highway Law, and

WHEREAS, WHITE TRUCK SALES & SERVICE, INC., 85 Michigan Avenue, Buffalo, New York, has submitted the lowest responsible bid in accordance with the specifications in the net sum of \$163,554.00, including trade-in price of three (3) single-axle dump trucks,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 142 of the Highway Law, the Town Superintendent of Highways is hereby authorized to purchase, in accordance with the provisions of Article 5-A of the General Municipal Law, with the approval of the County Superintendent of Highways, Three (3) New 1981 Two Wheel Drive Trucks complete with Dump Body and Snow Removal Equipment for use of the Highway Department, for a maximum price of \$163,554.00, including trade-in price of three (3) single-axle dump trucks, with delivery to be made in accordance with the specifications:

The terms of payment will be as follows:

1. Check from proceeds of Bond Anticipation Note - \$163,554.00

A contract for purchase of the items shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the Erie County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the items purchased in accordance with the terms of the Bond Resolution and such contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES	COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN BERENT	VOTED YES	SUPERVISOR KEYSA	VOTED YES
COUNCILMAN CZAPLA	VOTED YES		

~~XXXX~~

The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, a Public Hearing was held on the 3rd day of August, 1981,
for the purpose of amendment of Chapter 13, "Dogs", of the Code of the Town
of Lancaster, and persons for and against such amendment have had an
opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and posted,

NOW, THEREFOER, BE IT

RESOLVED, as follows:

1. That Chapter 13, "Dogs" of the Code of the Town of Lancaster, be
amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the
Town Board of the Town of Lancaster held on the 3rd day of August, 1981, and
3. That a certified copy thereof be published in the Lancaster
Enterprise & Journal on August 6, 1981, and
4. That a certified copy of this amendment be posted on the Town
Bulletin Board, and
5. That Affidavits of Publication and Posting be filed with the Town
Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

August 3, 1981

LEGAL NOTICE
NOTICE OF ADOPTION
TOWN OF LANCASTER

Chapter 13, "Dogs" of the Code of the Town of Lancaster, County of Erie, State of New York, is hereby amended by the repeal of Sections 13.4 through 13.8, inclusive, and enactment in place thereof, of Sections 13.4 through 13.11, inclusive, and renumbering the section headings of Chapter 13 of said Code, as follows:

CHAPTER 13

DOGS

- §13.1 Repealer
- §13.2 Restrictions on Dogs Running at Large
- §13.3 Seizure
- §13.4 Noise, Barking, Disturbing the Peace
- §13.5 Impoundment Fees and Redemption
- §13.6 Violations and Penalties
- §13.7 Enforcement
- §13.8 Local License Fee
- §13.9 Adoption of Dogs; Disposition of Dogs
- §13.10 Severability
- §13.11 Effective Date

.....

§13.4 Noise, Barking, Disturbing the Peace.

- A. Any person owning or harboring any dog within the Town of Lancaster shall not permit such dog to disturb the peace and quiet of a neighborhood by annoying the residents thereof by howling, barking or making other loud noises.
- B. Continual howling and barking or the making of other loud noises for a period in excess of one-half (1/2) hour shall be considered annoying and disturbing to persons and shall constitute a violation hereunder.

§13.5 Impoundment Fees and Redemption-

- A. Any dog found to be "at large" and seized by any dog control officer or peace officer shall be held for the redemption period and may be redeemed by the owner within the time and in the manner prescribed by Section 118 of Article 7 of the Agriculture and Markets Law of the State of New York provided that the owner pays the following impounded fees:
 - (1) ten dollars (\$10.00) for the first impoundment of any dog owned by that person;
 - (2) twenty dollars (\$20.00) for the first twenty-four (24) hours or part thereof and three dollars (\$3.00) for each additional twenty-four (24) hours or part thereof for the second impoundment, within one year of the first impoundment, of any dog owned by that person; or
 - (3) thirty dollars (\$30.00) for the first twenty-four (24) hours or part thereof and three dollars (\$3.00) for each additional twenty-four (24) hours or part thereof for the third and subsequent impoundments, within one year of the first impoundment, of any dog owned by that person.
- B. The seizure of any dog shall not relieve any person from any violation provided for by Section 13.6 of this Chapter.

§13.6 Violation and Penalties

- A. It shall be a violation, punishable as provided in subdivision "B" of this section, for the owner of any dog to permit the same, at any time, to be "at large" in violation of this chapter.
- B. Violation of this section shall be punishable, subject to election of the enforcement officer, either:
 - (1) where prosecuted pursuant to the penal law, by a fine of not more than twenty-five dollars (\$25.00), except that (i) where the person was found to have violated this section within the preceding five years, the fine may be not more than fifty dollars (\$50.00); and (ii) where

the person was found to have committed two or more such violations within the preceding five years, it shall be punishable by a fine of not more than one hundred dollars (\$100.00) or imprisonment for not more than fifteen (15) days, or both, or

- (2) where prosecuted as an action to recover a civil penalty, by a civil penalty of not more than twenty-five dollars (\$25.00), except that (i) when the person was found to have violated this section within the preceding five years, the civil penalty may not be more than fifty dollars (\$50.00); and (ii) where the person was found to have committed two or more such violations within the preceding five years, the civil penalty may be not more than one hundred dollars (\$100.00).

§13.7

Enforcement

- A. It shall be the duty of the Dog Control Officer of the Town of Lancaster to enforce the provisions of this Chapter.
- B. The Dog Control Officer of the Town of Lancaster shall have all the powers of a Peace Officer in enforcing the provisions of this Chapter. In addition, the Dog Control Officer may serve any process related to any proceeding, whether criminal or civil in nature and including an appearance ticket undertaken in accord with the provisions of this Chapter.

§13.8

Local License Fee

- A. Pursuant to Section 110(4) of the Agriculture and Markets Law of the State of New York, an annual dog license fee of \$3.50 for each dog license issued by the Town of Lancaster, New York, under Section 109(1) of the Agriculture and Markets Law, will be added to the fees established by Section 110(1) of the Agriculture and Markets Law. This annual dog license fee shall be charged for all licenses becoming effective on or after January 1, 1980.
- B. A dog or dogs owned by one or more persons, each of whom is sixty-five (65) years of age or older, shall be exempt from the additional Town imposed local license fee in Subdivision (A) herein.

§13.9

Adoption of Dogs; Disposition of Dogs.

- A. Unlicensed or licensed -
- (1) Any dog unidentified, unlicensed or licensed, in custody of the Dog Control Officer, may be delivered for adoption by the Dog Control Officer or disposed of by euthanization after a seven (7) day redemption period has expired, except that the redemption period shall be nine (9) days where the record owner is notified by mail.

B. Voluntary surrender -

- (1) At the time the dog is surrendered to the Dog Control Officer, the owner shall execute a consent agreeing to the surrender and further authorizing the Dog Control Officer, using his discretion, to either :
 - a) hold the dog for a seven (7) day period and deliver same for adoption, or
 - b) dispose of the dog by euthanization.
- (2) Where the record owner surrenders a dog to the Dog Control Officer, there shall be no redemption period applicable.
- (3) The record owner of the dog shall transfer title to the Town of Lancaster upon surrender, by completing appropriate license sections and that owner shall notify the New York State Department of Agriculture and Markets of the ownership transfer.

C. Licensing prior to release from custody

- (1) No dog shall be delivered for adoption unless it has been licensed pursuant to Article 7 of the Agriculture and Markets Law, prior to its release from the custody of the Dog Control Officer.

D. Fees.

- (1) There shall be no fee for adoption of a dog.
- (2) There shall be no fee for the voluntary surrender of a dog to the Dog Control Officer whether same is disposed of by euthanization or delivered for adoption.

E. Violations.

The disposition by euthanization or delivery for adoption of a seized dog shall not relieve any person from any violations of this ordinance or of the New York State Agriculture and Markets Law.

§13.10 Severability.

Should any section or provision of this ordinance be decided by any court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

§13.11 Effective Date

This Ordinance shall constitute part of the Code of the Town of Lancaster and shall take effect immediately upon its adoption in accordance with the provisions of law.

State of New York }
County of Erie } ss:
Town of Lancaster }

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of a resolution

with the original thereof filed in my office at Lancaster, New York,

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED August 3 , 1981, AUTHORIZING THE PURCHASE AND
INSTALLATION OF A POLICE COMMUNICATION SYSTEM, FOR
USE BY THE POLICE DEPARTMENT OF THE TOWN, STATING
THE ESTIMATED MAXIMUM COST THEREOF IS \$37,000,
APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING \$1,850
CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT,
AND AUTHORIZING THE ISSUANCE OF \$35,150 SERIAL BONDS
OF THE TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER,
IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not
less than two-thirds of the entire membership of said Board),
AS FOLLOWS:

Section 1. The Town of Lancaster, in the County of Erie,
New York (the "Town"), is hereby authorized to purchase and
install a police communication system, for use by the Police
Department of the Town, said communication system to include
a base station with controllers and seven mobile units, and to
purchase the original equipment, machinery and apparatus re-
quired therefor. The estimated maximum cost of said specific
object or purpose, including preliminary costs and costs in-
cidental thereto and the financing thereof, is \$37,000 and
the said amount is hereby appropriated therefor, including
the amount of \$1,850 current funds to provide the required down
payment. The plan of financing includes the use of said
\$1,850 current funds, the issuance of \$35,150 serial bonds of
the Town to finance the balance of said appropriation and the
levy and collection of a tax on all the taxable real property
in the Town to pay the principal of said bonds and the interest
thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$35,150 are hereby authorized to be issued pursuant to the Law to finance the balance of said appropriation not provided by said current funds.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 25 of the Law, is ten (10) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 of the Law and such current funds are available therefor in the amount of \$1,850 in the current budget of the Town under the heading "UNAPPROPRIATED SURPLUS" and the Supervisor is hereby authorized and directed to set aside said current funds and expend same solely towards the cost of said specific object or purpose.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

SUPERVISOR KEYSA VOTED YES

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The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE
COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days
after the adoption of the bond resolution referred to in the
form of Notice hereinafter set forth in Section 2 hereof, cause
to be published at least once in the "LANCASTER ENTERPRISE," a
newspaper published in Lancaster, New York, having a general cir-
culation in the Town, and hereby designated the official newspaper
of the Town, for such publication, and to be posted on the sign
board of the Town maintained pursuant to subdivision 6 of Section 30
of the Town Law and in at least five (5) public places in the Town,
a Notice which shall set forth the date of adoption of said bond
resolution and contain an abstract thereof concisely stating its
purpose and effect.

Section 2. The Notice referred to in Section 1 hereof shall
be in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on August 3, 1981, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted August 3, 1981, authorizing the purchase and installation of a police communication system for use by the Police Department of the Town, stating the estimated maximum cost thereof is \$37,000, appropriating said amount therefor, including \$1,850 current funds to provide the required down payment, and authorizing the issuance of \$35,150 serial bonds of the Town to finance the balance of said appropriation,"

an abstract of said resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Lancaster ("Town"), New York, to purchase and install a police communication system for use by the Police Department of the Town; STATING the estimated maximum cost thereof is \$37,000 and APPROPRIATING said amount therefor, including the amount of \$1,850 from current funds to provide the down payment required pursuant to the provisions of the Local Finance Law ("Law"); STATING the plan of financing includes the use of said \$1,850 current funds to provide such down payment and the issuance of \$35,150 serial bonds to finance the balance of said appropriation, and the levy and collection of a tax on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING \$35,150 serial bonds of the Town to be issued pursuant to the Law to finance the balance of said appropriation not provided by said current funds;

THIRD: DETERMINING AND DECLARING that the period of probable usefulness of the specific object or purpose for which the bonds authorized are to be issued is ten (10) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 of the Law and such current funds are available therefor in the amount of \$1,850 in the current budget of the Town and AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and expend same solely towards the cost of said specific object or purpose; STATING the proposed maturity of the bonds authorized will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to issuance of said bonds, and any bond anticipation notes and renewals thereof;

SIXTH: PROVIDING that said resolution shall be subject to a permissive referendum.

DATED: August 3, 1981

ROBERT P. THILL,

Town Clerk

Section 3. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Buffalo Sewer Authority contracts with a substantial number of suburban communities contiguous to the City of Buffalo and interconnected within the County of Erie, for the conveyance and treatment of sewage, and

WHEREAS, significant and important decisions and policies are set by the members of the Buffalo Sewer Authority, having a great fiscal and environmental impact upon the residents of those contracting suburban communities, and

WHEREAS, under present law and policy, membership of the Buffalo Sewer Authority is restricted to residents of the City of Buffalo, and

WHEREAS, enabling legislation permitting the appointment of suburban residents in communities contracting with the Buffalo Sewer Authority would provide input and representation in the important decisions made by the Buffalo Sewer Authority impacting upon those contracting suburban communities;

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Assembly, New York State Senate and Governor be and hereby are memorialized to enact legislation authorizing the appointment of residents of contracting suburban communities to the Buffalo Sewer Authority, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Clerk of the New York State Assembly; the Clerk of the New York State Senate; the Governor of the State of New York; Managing Director of the Buffalo Sewer Authority; Mayor of the City of Buffalo; Assemblyman Graber; Senator Volker; and to the municipalities contracting with the Buffalo Sewer Authority, including the towns of Cheektowaga, West Seneca, Hamburg, Evans and Orchard Park and the Villages of Blasdell, Hamburg, Orchard Park, Angola, Depew and Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~and~~
The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated July 22, 1981, has requested permission to attend the Annual Conference of the New York State Association of Town Superintendents of Highways, Inc. from Tuesday, September 15, 1981 to Friday, September 18, 1981 at Kutsher's Country Club, Monticello, New York.

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT W. URBAN, Highway Superintendent of the Town of Lancaster, be and is hereby authorized to attend the Annual Conference of the New York State Association of Town Superintends of Highway, Inc. at Kutsher's Country Club, Monticello, New York, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$300.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~dukyx~~
The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GRZYBOWSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

General Fund	No. 355 to 405 Incl.	\$85,746.92
Part Town Fund	No. 825 to 825 Incl.	\$ 60.00
Highway Fund	No. 607 to 625 Incl.	\$44,538.35
Trust and Agency Fund	No. 503 to 505 Incl.	\$ 1,536.07
Federal Revenue Sharing Fund	No. 153 to 165 Incl.	\$ 7,235.04
Capital Fund	No. 537 to 540 Incl.	\$49,298.70
Community Development (Rehabilitation Escrow Acct.)	No. 108 to 112 Incl.	\$ 1,260.00

and,

BE IT FURTHER

RESOLVED, that the claim of applicant and Sitarek Construction for
\$600.00 dated July 20, 1981 - Grant #463 LANC (T) and the

Claim of applicant and Sitarek Construction for \$300.00 dated
July 17, 1981 - Grant #458 LANC (T) and the

Claim of applicant and Sitarek Construction for \$300.00 dated
July 20, 1981 - Grant #465 LANC (T) and the

Claim of applicant for \$60.00 dated July 24, 1981 - Grant #379
LANC (T) have been approved by the Community Development Program, and the
Supervisor be and is hereby ordered to submit these claims for payments from
Community Development Rehabilitation Escrow Account.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xdubx~~

The resolution was thereupon unanimously adopted.

August 3, 1981

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 BARNHARDT , TO WIT:

RESOLVED, that the following Building Permit Applications be and
 are hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
125	John Newhouse	4 Deerpath Dr.	ER. POOL
126	Gary Chaples	28 Deerpath Dr.	ER. FENCE
127	Brian Kreutzer	11 Deerpath Dr.	EXT.FR.SIN.DWLG.
128	Samuel Saeva, Jr.	5747 Broadway	ER.CON.BLOCK CHIMNEY
129	Thomas C. Dickinson	113 Ransom Road	ER.CON. PATIO
130	The Marrano Corp.	10 Birchwood Comm.	ER.FR.BR.VEN.SIN.DWLG.
131	The Marrano Corp.	5 Old Orchard Comm.	ER.FR.BR.VEN.SIN.DWLG.
132	Richard Yates	209 Warner Road	ER. FENCE
133	Fred Nowakowski	558 Aurora	ER. STORAGE SHED
134	Richard Piwowarski	769 Schwartz Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
135	United Silicone	4471 Walden Ave.	EXT. OFFICE & WARE- HOUSE

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~and~~
 The resolution was thereupon unanimously adopted.

August 3, 1981

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, William Holcomb and the Town Attorney's Office have negotiated a two-year agreement with the Town of Lancaster Police Benevolent Association, also known as the Cayuga Club, and

WHEREAS, said Agreement has been reviewed by the Town Board and found acceptable,

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement by and between the Town of Lancaster and the Town of Lancaster Police Benevolent Association, also known as the Cayuga Club, for the period January 1, 1981 to December 31, 1982, be and is hereby accepted by the Town Board of the Town of Lancaster and the Supervisor is authorized and directed to execute said Agreement on behalf of the Town of Lancaster and that all parties concerned be extended the thanks of the Town Board for the spirit in which this Agreement was consummated.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

August 3, 1981

Councilman Barnhardt requested a suspension of the nessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster desires to provide cable tv to the Town of Lancaster residents by awarding a franchise pursuant to the Executive Law of the State of New York, and

WHEREAS, the Town Board has appointed a Cable TV Advisory Committee to review proposals by prospective franchisees, and

WHEREAS, the Town Board has held a public hearing on the creation of a cable tv franchise, and

WHEREAS, the Cable TV Advisory Committee has made a recommendation on the granting of a franchise agreement to the Town Board of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that a cable tv franchise be granted to GLOBAL CABLE TV, 37 Central Avenue, Lancaster, New York, subject to and conditioned upon the negotiation and execution of a Franchise Agreement within fifty (50) days of this award date, and

BE IT FURTHER

RESOLVED, that the Town Attorney's office be and hereby is directed to begin negotiations with GLOBAL CABLE TV on such a Franchise Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~atky~~

The resolution was thereupon unanimously adopted.

August 3, 1981

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, definite plans, specifications and contract documents have been prepared by Krehbiel Associates, Inc., Town Engineers, for furnishing all materials, labor and equipment to remove and replace an insulated 6-inch water line and appurtenances across the Main Street bridge in Bowmansville, Lancaster, New York,

NOW, THEREFORE, BE IT

RESOLVED, that the plans, specifications and contract documents for furnishing all materials, labor and equipment to remove and replace an insulated 6-inch water line and appurtenances across the Main Street bridge in Bowmansville, in the Town of Lancaster, be and hereby are approved and adopted, and

BE IT FURTHER

RESOLVED, that sealed proposals will be received, publicly opened, read aloud and considered by the Town Board of the Town of Lancaster at a meeting of the said Town Board to be held at the Town Hall, 21 Central Avenue, Lancaster on the 17th day of August, 1981, at 8:00 P.M., o'clock, Local Time for furnishing all materials, labor and equipment to remove and replace an insulated 6-inch water line and appurtenances across the Main Street bridge in Bowmansville, in the Town of Lancaster, in accordance with specifications on file in the Town Clerk's office and that Notice of Advertisement for bids shall be published by the Town Clerk of the Town of Lancaster in the Lancaster Enterprise & Journal, being the official town newspaper and a newspaper of general circulation in the Town of Lancaster, no later than August 6, 1981, and posted according to law, which notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES	COUNCILMAN GRZYBOWSKI VOTED YES
COUNCILMAN BERENT VOTED YES	SUPERVISOR KEYSA VOTED YES
COUNCILMAN CZAPLA VOTED YES	

The resolution was thereupon unanimously adopted.

August 3, 1981

TOWN OF LANCASTER
NOTICE TO CONTRACTORS

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NOTICE IS HEREBY GIVEN that pursuant to resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened, read aloud and considered by the Town Board on the 17th day of August, 1981, at 8:00 P.M., Daylight Savings Time, in the Town Board Council Chamber in the Town Hall, 21 Central Avenue, Lancaster, New York, for furnishing all materials, labor, and equipment to remove and replace an insulated 6" water line across the Main Street bridge in Bowmansville, Lancaster, New York. Proposals will be received in accordance with Contract Documents and Specifications prepared by Krehbiel Associates, Inc., for the Town of Lancaster. A copy of which is on file with the Town Clerk at his office in the Town Hall, Lancaster, New York, where the same may be examined during the usual business hours.

Copies of the Contract Documents required for review or bidding purposes may be obtained at the offices of Krehbiel Associates, Inc., 1868 Niagara Falls Boulevard, Tonawanda, New York, upon deposit of \$25.00 for each set of documents so obtained. The full amount of the deposit for one set of documents and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the Town, and who also returns the documents in good condition to the Engineer within thirty (30) days after his bid security has been returned to him. Equipment manufacturers, contractors, sub-contractors and others who do not submit formal proposals to the Town, will be refunded one-half the amount of the deposit for all sets of complete documents returned in good condition to the Engineer within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty (30) day period.

Each proposal must be accompanied by a certified check, payable to the Town of Lancaster, or bid bond, having a surety amount not less than ten percentum (10%) of the amount of the base bid, conditioned that, if his proposal is accepted he will enter further security as may be required for the faithful performance of the contract.

All bids shall be submitted, in sealed envelopes addressed to the Town of Lancaster and shall be plainly marked on the outside with the Contractor's name and the title of his bid.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the Contract.

The Owner reserves the right to reject any or all bids for failure to comply with the requirements of the Contract Documents but may, at its discretion, waive any informalities or irregularities.

The Owner further reserves the right to reject any or all bids or to award a contract which in its judgment is in the best interest of the Owner.

No Bidder may withdraw his bid within forty-five (45) days after the opening thereof, but may withdraw same at any time prior to the opening thereof.

Robert P. Thill
Town Clerk
Town of Lancaster

August 3, 1981

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, American Alarm Services, 69 Holland Avenue, Lancaster, New York, has tendered a quotation to the Town of Lancaster for the installation of a fire alarm system in the Senior Citizens Building on Clark Street, using new control equipment, at a cost of \$3,500.00, and

WHEREAS, the Building Superintendent, by letter dated July 21, 1981, has informed the Town Board that he has received other quotations in regard to the alarm system at the Senior Citizens Building and recommends to the Town Board acceptance of the quotation of American Alarm Services for the installation of all new equipment at a cost of \$3,500.00,

NOW, THEREFORE, BE IT

RESOLVED, that the quotation of American Alarm Services, 69 Holland Avenue, Lancaster, New York, for the installation of a fire alarm system in the Senior Citizens Building on Clark Street, within the Village of Lancaster, at a cost of \$3,500.00, using new control equipment, be and is hereby accepted, and

BE IT FURTHER

RESOLVED, that the Building Superintendent of the Town of Lancaster be and is hereby authorized to execute a purchase order in this matter, and

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby directed to seek funding for this program through the Community Development Fund Program, and

BE IT FURTHER

RESOLVED, that the Supervisor contact the appropriate officials within the Village of Lancaster concerning a tie-in with the Village of Lancaster Police Department.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

SUPERVISOR KEYSA VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

August 3, 1981

Councilman Barnhardt requested a suspension of the necessary rule

for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, Stephen Amusements, Incorporated, owners and operators of the Wehrle Drive-In Theatre, 6731 Transit Road, Lancaster, New York, have submitted a renewal application for the license to operate a drive-in theatre within the Town of Lancaster, for the period July 29, 1981 to July 29, 1982, and

WHEREAS, the Town Clerk has certified by letter to the Town Board that the necessary license fee and security deposit has been filed with his office, and

WHEREAS, the Building Inspector has reviewed the application and indicated no objection to the issuance of a license to said applicant,

NOW, THEREFORE, BE IT

RESOLVED, that Stephen Amusements, Incorporated, owners and operators of the Wehrle Drive-In Theatre, 6731 Transit Road, Lancaster, New York, be and is hereby authorized to operate a drive-in theatre within the Town of Lancaster, at 6731 Transit Road, Lancaster, New York, for the period July 29, 1981 to July 29, 1982.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~only~~

The resolution was thereupon unanimously adopted.

August 3, 1981

Councilman Grzybowski requested a suspension of the necessary rule

for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GRZYBOWSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, Clarence Rainess & Co., retained auditors and accountants of the Town of Lancaster, by letter dated July 23, 1981, has submitted a proposal for providing assistance in preparing a Bond Anticipation Note Sale for the Town of Lancaster, dated September 10, 1981, and

WHEREAS, within said proposal, Clarence Rainess & Co. agree to assist the Office of the Supervisor of the Town of Lancaster in preparing and distributing necessary financial and statistical information that is required for a public offering in regard to \$750,000.00 of Bond Anticipation Notes proposed to be dated September 10, 1981 at the standard per diem rates, with the total invoice not to exceed \$4,500.00 plus out-of-pocket expenses,

NOW, THEREFORE, BE IT

RESOLVED, that the Letter Offer of Clarence Rainess & Co., dated July 23, 1981, to provide accounting assistance in the preparation of a Bond Anticipation Note Sale, dated September 10, 1981, at a cost not to exceed \$4,500.00, plus out-of-pocket expenses, be and is hereby accepted, and

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute a letter of acceptance in this matter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~and~~

The resolution was thereupon unanimously adopted.

August 3, 1981

STATUS REPORT ON UNFINISHED BUSINESS:1. Dumping Permit Application - Walt's Tree Service

On April 16, 1981, the Planning Board recommended denial of this application. On April 20, 1981, the Town Board returned this application to the Planning Board for further review and recommendation.

2. Grade Crossings, Maple Drive Signalization

On February 4, 1980, the N.Y.S. Dept. of Transportation acknowledged receipt of the Town Board resolution requesting signalization of this crossing and forwarded it to Albany Railroad Safety Section for review.

3. Preferential Rights, Erie Lackawanna R.R.

On March 16, 1981, the Town Board adopted a resolution authorizing the Supervisor to enter into a purchase agreement for the right-of-way. On July 22, 1981, the Town Board took title to this property. The Town Clerk was directed to remove this item from future Town Board agendas.

4. Public Improvement Permit Authorization, Countryside Subdivision, Phase 1 (Josela)

The Town Board on October 1, 1979 authorized the issuance of P.I.P. No. 75 (street lighting) and P.I.P. No. 76 (sidewalks) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.

5. Public Improvement Permit Authorization, Country View East Subdivision, Phase 1 (Marrano)

On January 21, 1980, the Town Board authorized issuance of P.I.P. No. 77 (sidewalks) and No. 78 (street lighting) which have not yet been accepted by the Town Board. The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 21, 1981. On July 6, 1981, the Certificates of Occupancy were ordered held until retention basins are cleaned.

6. Public Improvement Permit Authorization, Heritage Hills Subdivision, Phase 1

The Town Board authorized issuance of P.I.P. No. 69 (street lighting) and P.I.P. No. 70 (sidewalks) which have not yet been accepted by the Town Board. The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance. On July 6, 1981, the Certificates of Occupancy were ordered held until retention basins are cleaned.

7. Public Improvement Permit Authorization, Woodview Estates Subdivision

The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision. At the Town Board meeting of May 18, 1981, the Building Inspector was directed to inform the developer to complete the required sidewalks within this subdivision.

8. Rezone Petition, Josela Enterprises, Inc.

On July 20, 1981, the Town Board held a Public Hearing on this matter and reserved decision. On August 3, 1981, the Town Board denied this petition. The Town Clerk was directed to remove this item from future Town Board agendas.

9. Special Use Permit, Brink's Motors, Incorporated

On March 2, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:10. Street Light Damage, New Subdivisions

On June 15, 1981, this matter was referred to the Lighting Committee for review.

11. Subdivision Approval, Contryside East

On January 15, 1979, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

12. Subdivision Approval, Lancaster Industrial Commerce Center

On May 12, 1981, the N.Y.S. Dept. of Audit and Control acknowledged receipt of the Water, Sanitary Sewer and Drainage District applications.

13. Subdivision Approval, Plumb Bottom Estates

On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

14. Traffic Study, Central Avenue and Columbia Avenue Intersection

On September 4, 1980, the County Dept. of Highways requested a report of all accidents at this intersection for the past three years. On October 8, 1980, the Town Clerk provided the County with the required report data.

15. Traffic Study, Genesee Street and Ransom Road

On July 6, 1981, the Town Board adopted a resolution requesting the N.Y.S. Dept. of Transportation to improve the sight line distances at this intersection. On July 13, 1981, the N.Y.S. Dept. of Transportation notified the Town Board that they will conduct this study as their caseload permits.

16. Traffic Study, Green Arrows at Central and Walden Avenues

On March 20, 1981, the N.Y.S. Dept. of Transportation notified the Town Board that green arrows will be installed at this intersection.

17. Traffic Study, Speed Reduction on William Street

On September 9, 1980, the N.Y.S. Dept. of Transportation notified the Town Board that this study was under way.

PERSONS DESIRING TO ADDRESS TOWN BOARD :

Mr. Robert Morisen, of Bison Ford, Mr. Robert Laffler, of T. W. Truck Equipors, and Mr. John Dee, of International Harvester, expressed disappointment with the Town Board in awarding a contract for three (3) Highway trucks to the White Truck Sales and Service Co. of Michigan Avenue in Buffalo.

Mrs. Kubiacki of Maple Drive in Bowmansville complained about cats, roosters, and rabbits which are kept as pets in residential areas.

The Building Inspector was directed to contact Mrs. Kubiacki with a view towards investigating any complaints she may have relative to any specific person who is violating this portion of the Town Zoning Ordinance.

PERSONS DESIRING TO ADDRESS TOWN BOARD CONT'D.:

Mr. James Riffel, representing Josela Enterprises, Inc., expressed disappointment with the Town Board's denial of their rezone petition for a lot within the Countryview Subdivision.

Mr. James Martina, 5243 Genesee Street, informed the Town Board that it is his intention to operate a public garage out of premises located at 5243 Genesee Street and that he and his attorney are currently preparing the necessary papers to be filed with the Town Board.

Several residents from the Lancaster Towers appeared and complained about dogs within the Village of Lancaster.

The Supervisor referred these persons to the Village Mayor and the Village Board of Trustees within whose jurisdiction the problem could be resolved.

Mr. Jim Greico, 84 Central Avenue, the owner of barking dogs, expressed an opinion that the dogs only bark when aggravated by people. Again, Mr. Greico was referred to the Village Mayor and the Village Board of Trustees with his comments inasmuch as his property is located within the jurisdiction of the Village of Lancaster.

COMMUNICATIONS:DISPOSITION

617. Town Attorney to Krehbiel Associates, Inc. -
Request recommended procedure concerning
engineering services for Public Improvement
Permits.

R & F

618. Town Attorney to Town Board -
Transmittal of Highway Superintendent's
report on truck bids.

R & F

619. Chief of Police to Edward A. Berent -
Memo recommending Town Board pass a
resolution standardizing radio equipment
in Police Department.

R & F

620. Town Clerk to Chairman of Planning Board -
Transmittal of drawings of Plumb Bottom
Creek Industrial Park.

R & F

621. Town Clerk to Erie County Brd. of Elections -
Request reimbursement for total costs
involved in the conduct of Special County
Referendum.

R & F

622. Dep. Commissioner of Highways to Supervisor -
Notification that the Aurora St. Bridge
will be closed for construction.

4 Fire Companies
Police Chief
LVAC

623. Resolution from Richard A. Slisz -
Erie County Legislature on record favoring
relinquishing Tax Exempt Status of Weimer's
Grove.

Assessor

624. Supervisor to Dep. Commissioner of Environ.
Health Services -
Recommendation that meeting on joint
County/State water testing program near
Lancaster Sanitary Landfill be held on
9/14/81 at our Town Court.

R & F

625. Town Clerk to Town Board -
Report on actions taken in response to
request and directions of Meeting 7/20/81.

R & F

626. Power Authority of New York State to All
Municipalities -
Transmittal proposal outline for hydro-
electric resources.

R & F

627. Town Clerk to Town Board -
Status Report - Street Lighting - Various
Subdivisions.

Lighting Committee

628. Cable TV Committee to Town Board -
Minutes Meeting No. 17

R & F

629. Highway Superintendent to Town Board -
Request authorization to attend conference.

R & F

630. Highway Superintendent to Supervisor -
Fire Alarm System, Sr. Citizen Bldg.

Town Clerk for
Suspended Resolution

631. Planning Board to Town Board -
Minutes - Meeting No. 13.

R & F

COMMUNICATIONS:DISPOSITION

632. Planning Board to Town Board - Preliminary review - Plumb Bottom Industrial Park.	R & F
633. Clarence Rainess & Co. to Town Board - Recommendation - Budget Transfers - Community Development Fund.	R & F
634. Chairman Recreation Comm. to Town Board - Recommendation - Irene Ambrose for employment - Nutrition Program.	R & F
635. Association of Towns to Supervisor - Regarding 1982 Association Dues.	R & F
636. Highway Superintendent to Supervisor - Report that no sidewalks ever installed on Main Street in Bowmansville.	R & F
637. Mary Louise Ardino to Town Board - Acceptance of appointment to Recreation Commission.	R & F
638. Building Inspector to Town Board - Building Permits issued for month of July.	R & F
639. Notice of Meeting Presented by the "West Valley Program Committee."	R & F
640. Town Clerk to Town Board - Transmittal - Renewal License Application - Wehrle Drive-In Theatre.	Town Clerk for Suspended Resolution
641. Ambulance Board to Town Board - Minutes of meeting July 8, 1981.	R & F
642. Supervisor to Michael J. Conboy - Reply to inquiry on Depew Waste Transfer Station.	R & F
643. Clarence Rainess & Co. to Supervisor - Financing of Capital Projects.	R & F
644. Stephen J. Podosek to Town Board - Recommendation that Cable Franchise be awarded to Global Cable.	R & F
645. Supervisor to Town Board - Report on Fund Investments.	R & F
646. Clarence Rainess & Co. to Supervisor - Proposal to provide assistance in preparing Bond Anticipation Note Sale Information.	Town Clerk for Suspended Resolution
647. Supervisor to Town Board - Report on State Aid - Opera House Renovation.	R & F
648. Highway Supt. to Dep. Co. Public Works Supt.- Request final inspection and reopening of Lincoln Street Bridge.	R & F
649. Highway Supt. to National Fuel Gas - Notice of intent to convert to natural fuel gas.	R & F

COMMUNICATIONS:

DISPOSITION

650. Krehbiel Associates to Highway Superintendent - Report on Engineering service costs - Police & Court Building Roof.	Building Committee
651. Erie County Revaluation Oversight Committee to Town Clerk - Minutes from meeting held 6/12/81.	R & F
652. Town Clerk to M/M Michael Passucci - Clarification of present status of provisional rezone of property on Cemetery Rd.	R & F
653. Cable TV Advisory Committee to Town Board - Minutes from meeting held 7/27/81.	R & F
654. Boxhorn Acoustical Tile Corp. to Supervisor - Transmittal of estimate to do remedial work at Senior Citizens Building.	Building Committee
655. Highway Supt. to Town Board - Recommendation of appointment of Charles D. Cupp, Jr. to position of Laborer, Grade 1, effective 8/17/81.	Highway Committee
656. County Dept. of Environment and Planning to Ms. D. J. Augus - Notification of status of Contract No. 6L regarding Pleasant View Dr. sewers.	R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE
TOWN BOARD AND CARRIED, the meeting was adjourned at 10:50 P.M. out of
respect to:

FLORENCE SCHWEIGEL
THOMAS DOMINIAK

Signed Robert P. Thill
Robert P. Thill, Town Clerk